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OPEN MEETING AGENDA ITEM

ORIGINAL

Forty-Niners Country Club Estates Homeowners Association
8987 E. Tanque Verde Road # 309-169
Tucson, AZ 85749-9399

2002 OCT 24 A 10 27

October 22, 2002

AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission
Attn: Ms. Nancy Cole, Supervisor
Docket Control
1200 West Washington
Phoenix, Arizona 85997

Arizona Corporation Commission
DOCKETED

OCT 24 2002

RE: Forty Niner Water Company
Emergency Rate Increase Hearing
Docket No: W-01777A-02-0547

DOCKETED BY	APC
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Dear Ms. Cole,

The Forty-Niners Country Club Homeowners Association (HOA) was granted Intervenor status as requested by our letter of August 27, 2002. The purpose of this letter is to advise you that Mr. Roderic Tizzard, a member of our Board of Directors, will represent our HOA on this matter at the upcoming Hearing by the Commissioners.

Though we concur with the applicant's request for a surcharge of \$.41 per thousand gallons of water provided it applies to all customers, including the Forty Niner Golf Course, we do not agree with the ACC Staff's recommendation that the applicant be required to post a bond equivalent to their anticipated loss, estimated to be in excess of \$100,000 and that they be allowed to collect the cost of the bond from their customers. We do not understand who would benefit from such a bond or why the cost of the bond would be passed on to the applicants customers.

Unless some benefit to the customers can be explained, we respectfully request that the staff's recommendation for the applicant to post such a bond be disapproved.

A copy of this letter is being sent simultaneously to the applicant, Forty Niner Water Company.

Thank you for your consideration.

Sincerely,


Jody Eimer, President